

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, February 7, 2013

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Vice-President Barbara J. McGowan, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Chairman of Finance Mariyana T. Spyropoulos, Commissioner Kari K. Steele, Commissioner Patrick D. Thompson, President Kathleen Therese Meany

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Kathleen Therese Meany presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 8 - Michael A. Alvarez; Frank Avila; Barbara J. McGowan; Debra Shore; Mariyana T. Spyropoulos; Kari K. Steele; Patrick D. Thompson; and Kathleen Therese Meany

Absent: 1 - Cynthia M. Santos

Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Barbara J. McGowan, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Debra Shore, seconded by Barbara J. McGowan, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 12:45 p.m. President Kathleen Therese Meany reconvened the regular board meeting to order

Finance Committee

Report

- 1 [13-0054](#) Report on Cash Disbursements for the Month of December 2012, in the amount of \$50,109,843.02

Attachments: [December 2012 M003 FI_FM Report](#)

Published and Filed

- 2 [13-0082](#) Report on investment inventory statistics at December 31, 2012

Attachments: [Inv Stats 2012 Q4 Inv.pdf](#)
 [Inv Stat 2012 Q4 Fin Mkt.pdf](#)

Published and Filed

- 3 [13-0083](#) Report on investments purchased during December 2012

Attachments: [Inv Purch 2012-12 att.pdf](#)

Published and Filed

- 4 [13-0085](#) Report on the investment interest income during December 2012

Attachments: [Inv Int Inc 2012-12 att.pdf](#)

Published and Filed

Authorization

- 5 [13-0084](#) Authority to Transfer \$30,000,000.00 from the Corporate Fund to the Metropolitan Water Reclamation District Retirement Fund pursuant to the provisions of 70 ILCS 2605/5.9

Approved

Procurement Committee

Report

- 6 [13-0068](#) Report of bid opening of Tuesday, January 29, 2013

Published and Filed

- 7 [13-0090](#) Report on advertisement of Request for Proposal 12-RFP-24, Geographical Information Integrated System for a Complete Real Estate Inventory, Information and Tracking System, estimated cost \$850,000.00, Account 201-50000-601170, Requisition 1354100

Mariyana T. Spyropoulos lifted her earlier deferral

Published and Filed

Authorization

- 8 [13-0061](#) Authorization to amend Board Order of December 20, 2012, regarding authority to issue purchase orders to Furnish and Deliver Maintenance, Repair and Operating Catalog Products, under the National Joint Powers Alliance (NJPA) Cooperative Purchasing Contract #102109-WWG to W.W. Grainger, Inc., in an amount not to exceed \$278,600.00, Accounts 101-15000, 16000, 20000, 27000, 66000, 67000, 68000, 69000-623070, 623090, 623110, 623130, 623190, 623250, 623270, 623520, 623660, 623680, 623700, and 623990, Requisitions 1325264, 1325272, 1325553, 1325309, 1325597, 1325593, 1325271 and 1325020, Agenda Item No. 25, File No. 12-1714

Approved

Authority to Advertise

- 9 [13-0058](#) Authority to advertise Contract 13-980-11 Repair of Wastewater Treatment Tanks at the Stickney Water Reclamation Plant, estimated cost \$225,000.00, Account 101-69000-612650/623270, Requisition 1352839

Approved

- 10 [13-0059](#) Authority to advertise Contract 13-612-11 Services of Street Sweepers at Various Locations, estimated cost \$219,000.00, Accounts 101-66000/68000/69000-612420, Requisitions 1349255, 1355504, 1350872

Approved

- 11 [13-0060](#) Authority to advertise Contract 13-753-11 Contract Farming at the Hanover Park Water Reclamation Plant, estimated cost \$330,000.00, Accounts 101-67000-612520/612530, Requisitions 1355533

Frank Avila voted Nay

Approved

- 12 [13-0062](#) Authority to advertise Contract 13-771-11 Aquatic Weed Removal at Various Locations, estimated cost \$36,000.00, Accounts 101-66000/67000-612420, Requisitions 1353124, 1354771

Approved

- 13 [13-0063](#) Authority to advertise Contract 13-817-21 Furnish and Deliver One Diesel Tractor with End Loader to the Prairie Plan Site in Fulton County, Illinois, estimated cost \$35,000.00, Account 201-50000-634860, Requisition 1349633

Deleted by the Executive Director

- 14 [13-0081](#) Authority to advertise Contract 10-716-3P Lemont Wet Weather Treatment Facility and Reservoir, Lemont Water Reclamation Plant, estimated cost \$27,430,000.00, Account 401-50000-645620, Requisition 1354032

Approved

- 15 [13-0088](#) Authority to advertise Contract 13-803-21, Furnish & Deliver Two 30 Ton Rough Terrain Cranes to the Calumet and Stickney Water Reclamation Plants, estimated cost \$925,000.00, Account 201-50000-634860, Requisitions 1353098, 1355508.

Deleted by the Executive Director

- 16 [13-0094](#) Authority to advertise Contract 13-864-11 Seal Coating and Patching of Roads at the Prairie Plan Site in Fulton County, Illinois, estimated cost \$44,000.00, Account 101-68000-612420, Requisition 1353535

Approved

Issue Purchase Order

- 17 [13-0065](#) Issue purchase order for Contract 13-105-12, Furnish and Deliver Work Uniforms for the Environmental Specialists, Patrol Boat Operators, and Pollution Control Technicians, to Silk Screen Express, Inc., in an amount not to exceed \$53,978.00, Account 101-16000-623700, Requisition 1346176

Approved

- 18 [13-0092](#) Issue purchase order and enter into an agreement with Geneva Scientific, LLC, for a Service Agreement for Prometco Sterilco Sterilizers, in an amount not to exceed \$32,855.00, Account 101-16000-612970, Requisition 1352030

Approved

- 19 [13-0093](#) Issue purchase order and enter into an agreement for Contract 12-RFP-34 Third-Party Administrator for Workers' Compensation and Other Services, with PMA Management Corp. for a one-year period, with options to renew in years two and three, in an amount not to exceed \$395,000.00, Account 101-30000-601170 and 901-30000-601090, Requisition 1351261

Approved

- 20 [13-0100](#) Issue purchase order and enter into an agreement with Mr. Kevin Fitzpatrick, at a monthly fee of \$8,500.00, for administrative services relating to Board of Commissioners' activities for a period of six months, from January 1, 2013 through June 30, 2013, in an amount not to exceed \$51,000.00, Account 101-11000-601170, Requisition 1356555

Approved

- 21 [13-0101](#) Issue purchase order and enter into an agreement with the law firm of Dykema Gossett, PLLC to provide legal services on behalf of the District in the appeal of the *Metropolitan Water Reclamation District of Greater Chicago v. Terra Foundation for American Art, et al*, Case No. 06 CH 13817, in an amount not to exceed \$75,000.00, Account 101-30000-601170, Requisition 1356566

Mariyana T. Spyropoulos lifted her earlier deferral

A motion was made that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 7 - Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Abstain: 1 - Michael A. Alvarez

Absent: 1 - Cynthia M. Santos

- 22 [13-0102](#) Issue purchase order and enter into agreement with the law firm of Tabet, DiVito & Rothstein, LLC to represent the District in the appeal of the *Metropolitan Water Reclamation District of Greater Chicago v. Terra Foundation for American Art, et al*, Case No. 06 CH 13817 for an amount not to exceed \$300,000.00, Account 101-30000-601170, Requisition 1356565

Mariyana T. Spyropoulos lifted her earlier deferral

A motion was made that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 7 - Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Abstain: 1 - Michael A. Alvarez

Absent: 1 - Cynthia M. Santos

Award Contract

- 23 [13-0066](#) Authority to award Contract 06-212-3M, Calumet TARP Pump Station Improvements at the Calumet Water Reclamation Plant, to Sollitt/Sachi/Alworth Joint Venture, in an amount not to exceed \$35,067,000.00, Account 401-50000-645600, Requisition 1246148

Attachments: [APP D 06-212-3M.pdf](#)

Deleted by the Executive Director

- 24 [13-0086](#) Authority to award Contract 13-012-11, Furnish and Deliver Paint, Brushes, Solvents and Stains to Various Locations, for a One (1) Year Period, Groups A and B, to The Indecor Group Inc., in an amount not to exceed \$35,335.61, Account 101-20000-623190

Approved

Increase Purchase Order/Change Order

- 25 [13-0064](#) Authority to increase purchase order and amend the agreement with Hewlett-Packard Company for Maintenance Services for Computer Software and Hardware, in an amount of \$461,280.22, from an amount of \$1,257,181.65, to an amount not to exceed \$1,718,461.87, Accounts 101-27000-612810, 61282, Purchase Order 3062338 *(As Revised)*
- Deleted by the Executive Director**
- 26 [13-0069](#) Authority to decrease purchase order and amend the agreement with Johnston & Greene, LLC, for Legal Services for Right-of-Way Acquisition with respect to Contract 01-103-2S, 39th Street Conduit Rehabilitation Phase I Bypass Tunnel, SSA in an amount of \$31,256.24, from an amount of \$80,000.00, to an amount not to exceed \$48,743.76, Account 401-50000-601170, Purchase Order 3052695
- Approved**
- 27 [13-0070](#) Authority to decrease purchase order and amend the agreement with Envision Consultants, Ltd., for Contract 10-RFP-04 Development, Furnishing, Transitioning and Support Services for Primavera Construction Scheduling for Capital Projects in an amount of \$76,253.26, from an amount of \$284,532.00, to an amount not to exceed \$208,278.74, Accounts 201-50000-601170 and 623800, Purchase Order 3067125
- Approved**
- 28 [13-0071](#) Authority to decrease purchase order and amend the agreement with AECOM, for Contract 07-026-2P Review and Support Master Plan Activities at the North Side Water Reclamation Plant in an amount of \$878,896.04, from an amount of \$2,499,999.00, to an amount not to exceed \$1,621,102.96, Account 201-50000-601170, Purchase Order 3046881
- Attachments:** [CO 07-026-2P.pdf](#)
- Approved**
- 29 [13-0072](#) Authority to decrease purchase order and amend the agreement with Black & Veatch Corporation, for Contract 07-527-BP Ultraviolet Disinfection Study - Black & Veatch, HPWRP, in an amount of \$108.96, from an amount of \$24,832.00, to an amount not to exceed \$24,723.04, Account 201-50000-601410, Purchase Order 8005000
- Attachments:** [CO 07-527-BP.pdf](#)
- Approved**

- 30 [13-0073](#) Authority to decrease purchase order and amend the agreement with Stanley Consultants, Inc., for Contract 05-837-2P Mechanical and Electrical Consulting Support Services, SSA, NSA, CSA in an amount of \$422,383.98, from an amount of \$1,110,999.00, to an amount not to exceed \$688,615.02, Accounts 201-50000-601420 and 601440, Purchase Order 3052467

Attachments: [CO 05-837-2P.pdf](#)

Approved

- 31 [13-0074](#) Authority to decrease purchase order and amend the agreement with Malcolm Pirnie, Inc., for Contract 07-859-1C Economic and Environmental Assessment of Water Quality Improvements in the CAWS and Floatable Control Evaluation NBPS, in an amount of \$87,853.20, from an amount of \$1,031,274.00, to an amount not to exceed \$943,420.80, Account 101-50000-601410, Purchase Order 3048466

Attachments: [CO 07-859-1C.pdf](#)

Approved

- 32 [13-0075](#) Authority to decrease purchase order and amend the agreement with AECOM Technical Services, Inc., for Contract 07-223-2P Review and Support Master Plan Activities at the Calumet Water Reclamation Plant in an amount of \$400,000.00, from an amount of \$400,000.00, to an amount not to exceed \$0.00, Account 201-50000-601410, Purchase Order 3064841

Approved

- 33 [13-0076](#) Authority to decrease Contract 75-208-2H Torrence Avenue Leg, to Kenny Kiewit Shea JV in an amount of \$1,481,263.93, from an amount of \$79,516,650.97, to an amount not to exceed \$78,035,387.04, Account 401-50000-645600, Purchase Order 3000479

Attachments: [CO 75-208-2H.pdf](#)

Approved

- 34 [13-0078](#) Authority to decrease Contract 00-473-1D Replace Casework, Fume Hoods and Miscellaneous Work, to IHC/KED, a Joint Venture in an amount of \$85,320.44, from an amount of \$7,835,291.77, to an amount not to exceed \$7,749,971.33, Accounts 101-50000-612680, 201-50000-645680 and 401-50000-645780, Purchase Order 5000624

Attachments: [CO 00-473-1D.pdf](#)

Approved

- 35 [13-0079](#) Authority to increase Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant, to McHugh Construction in an amount of \$27,029.99, from an amount of \$165,292,751.66, to an amount not to exceed \$165,319,781.65, Account 401-50000-645650, Purchase Order 5001115

Attachments: [CO 09-176-3P.PDF](#)

Approved

- 36 [13-0080](#) Authority to decrease Contract 04-824-2P Tertiary Filter Rehabilitation, Pump VFDs and Other Plant Improvements, EWRP, HPWRP, KWRP, to IHC Construction Companies, LLC in an amount of \$128,745.43, from an amount of \$16,826,944.85, to an amount not to exceed \$16,698,199.42, Accounts 401-50000-645650 and 645750, Purchase Order 5000803

Attachments: [CO 04-824-2P.pdf](#)

Approved

- 37 [13-0087](#) Authority to decrease purchase order and amend the agreement with Michael Baker, Jr., Inc. for professional engineering services for Contract 10-882-5C Preliminary Engineering for Streambank Stabilization Projects on Tinley Creek, Calumet Union Drainage Ditch, and Midlothian Creek, in an amount of \$87,001.29, from an amount of \$511,715.36, to an amount not to exceed \$424,714.07, Account 501-50000-601410, Purchase Order 3063986

Approved

- 38 [13-0098](#) Authority to decrease purchase order and amend agreement for Contract 12-RFP-02, State Legislative Liaison Consulting Services with Kevin J. Fitzpatrick in an amount of \$51,000.00, from an amount of \$102,000.00 to an amount not to exceed \$51,000.00, Account 101-15000-601170, Purchase Order 3071068

Approved

- 39 [13-0103](#) Authority to decrease purchase order and amend the agreement with SEECO Consultants, Inc., for geotechnical analysis and sub-surface exploration for various construction projects in an amount of \$77,266.52, from an amount of \$614,999.00, to an amount not to exceed \$537,732.48, Accounts 101, 201 and 401-50000-612380, Purchase Order 3066795

Attachments: [CO SEECO.PDF](#)

Approved

- 40 [13-0104](#) Authority to decrease purchase order and amend the agreement with Donnelly/Milhouse, Joint Venture, for Contract 03-822-2M Elevator Improvements - Professional Services in an amount of \$56,194.12, from an amount of \$380,679.24, to an amount not to exceed \$324,485.12, Accounts 201-50000-601420 and 601440, Purchase Order 3028261

Attachments: [CO 03-822-2M.pdf](#)

Approved

Budget & Employment Committee

Authorization

- 41 [13-0057](#) Authority to transfer 2012 departmental appropriations in the amount of \$190,000.00 in the Capital Improvements Bond Fund

Attachments: [02.07.13 Board Transfer BF5.pdf](#)

Approved

Judiciary Committee

Authorization

- 42 [13-0044](#) Authority to settle the Workers' Compensation claim of Thomas Collins vs. MWRDGC, Case No. 11 WC 040548, Illinois Workers' Compensation Commission (IWCC), in the sum of \$29,918.54. Account 901-30000-601090

Approved

- 43 [13-0052](#) Authority to settle the Workers' Compensation claim of Donald Dye vs. MWRDGC, Claim Number 0200005077, Illinois Workers' Compensation Commission (IWCC), in the sum of \$37,876.32. Account 901-30000-601090

Approved

Real Estate Development Committee

Authorization

- 44 [13-0055](#) Authority to issue a 2-month permit to Patrick Engineering, Inc. and its subcontractor, Wang Engineering, Inc., for access through District real estate known as Main Channel Parcels 34.03, 34.05 and 34.08 to reach property owned by Canadian National Railway located in Summit, Illinois, to perform soil borings for an IDOT project. Consideration shall be a document preparation fee of \$2,500.00

Attachments: [02-07-13 Patrick Engineering Inc.pdf](#)

Approved

- 45 [13-0056](#) Authority to commence procedures to sell a 2,322 square foot parcel of District real estate, plus air rights, located in the Chicago River between Lake and Randolph Streets in Chicago upon competitive bid

Attachments: [02-07-13 400 West Randolph LLC.pdf](#)

Barbara J. McGowan lifted her earlier deferral

A motion was made that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 7 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Kathleen Therese Meany

Abstain: 1 - Patrick D. Thompson

Absent: 1 - Cynthia M. Santos

Miscellaneous and New Business

Motion

- 46 [13-0053](#) MOTION to appoint Commissioner Cynthia M. Santos to the Public Building Commission

Deleted by the Executive Director

Resolution

- 47 [13-0051](#) RESOLUTION sponsored by the Board of Commissioners recognizing the month of February 2013 as Black History Month

A motion was made by Barbara J. McGowan, seconded by Frank Avila, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

Ordinance

- 48 [O13-001](#) Ordinance O13-001 An Ordinance directing the County Clerk to reduce the levy of taxes on Capital Improvement Bonds for the levy year 2012

Attachments: [Ord O13-001 att.pdf](#)
 [Ordinance BTL 2013-02-07.pdf](#)

A motion was made by Frank Avila, seconded by Patrick D. Thompson, that this Ordinance be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Cynthia M. Santos

Additional Agenda Items

- 49 [13-0109](#) Authorization to execute change orders to decrease purchase orders or carry forward FY2012 encumbrances to FY2013

Attachments: [Engineering Department FY2012 Purchase Orders](#)
 [Finance Department FY2012 Purchase Orders](#)
 [General Administration FY2012 Purchase Orders](#)
 [Human Resources Department FY2012 Purchase Orders](#)
 [Information Technology Department FY2012 Purchase Orders](#)
 [Law Department FY2012 Purchase orders](#)
 [Maintenance & Operations FY2012 Purchase Orders](#)
 [Monitoring & Research Department FY2012 Purchase Orders](#)
 [Procurement & Materials Management Department FY2012 Purchase Order](#)
 [Treasury Department FY2012 Purchase Orders](#)

Approved

Approval of the Consent Agenda with the exception of Items: 13, 15, 21, 22, 23, 25, 45, 46, 47, 48, 50, and 51

Frank Avila voted Nay on Item #11

A motion was made by Mariyana T. Spyropoulos, seconded by Frank Avila, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Cynthia M. Santos

- 50 [13-0106](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Martha Bell Holmes (*As Revised*)

A motion was made by Barbara J. McGowan, seconded by Debra Shore, that this Memorial Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

- 51 [13-0110](#) MOTION expressing opposition to House Bill 1049 pending in the Illinois General Assembly
- A motion was made by Debra Shore, seconded by Barbara J. McGowan, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:** 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany
- Absent:** 1 - Cynthia M. Santos

Meeting Summary

Speakers

Alphonse Gray accepted the memorial resolution extending sympathy and condolences to the family of Martha Bell-Holmes (Re: Miscellaneous and New Business Item #51)

Don Pries, PE Chairman of National Engineers Week accepted the Resolution recognizing National Engineers Week

George Blakemore, concerned citizen, voiced concerns (Re: Procurement Item #7, 11, 33 and Real Estate Item #45)

Summary of Requests

David St. Pierre

- 1. Mariyana T. Spyropoulos requested a break down of the cost (Re: Procurement Item #11)*
- 2. Debra Shore requested periodic reports (Re: Procurement Item #14)*
- 3. Mariyana T. Spyropoulos requested a break down of the time line (Re: Procurement Item #33)*
- 4. Debra Shore requested that Staff review HB0072*
- 5. Debra Shore requested that the District participate in the prescription drug take back program*
- 6. Barbara J. McGowan requested a copy of the entire house bill*

Study Session

None

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for February 21, 2013, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: February 8, 2013

Date agenda items are due to the Executive Director for signature and preparation: February 11, 2013

Date all agenda items are due to the Executive Director: 1:00 p.m., February 13, 2013

Adjournment

A motion was made by Barbara J. McGowan, seconded by Mariyana T. Spyropoulos, when the Board adjourns, it adjourns to meet again on Thursday, February 21, 2013 at 10:00 a.m., and also move that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Cynthia M. Santos

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this February 7, 2013, are hereby approved.

APPROVED:

/s/ Kathleen Therese Meany

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

February 7, 2013